(3)

Single Bench

IN THE HON'BLE HIGH COURT OF CHHATTISGARH
AT BILASPUR

Cr.M.P. No. 155 /2006

APPLICANT : Smt. Champadevi W/o. Sohan Lal Dewangan, Aged about- 37 years, R/o. – Chikhali Ward No. 3, Tah. & Distt.- Rajnandgaon (C.G.)

4820/06
Filed on 08/11/06
by Shri Rawat Malishwar
2087/06
R to D.R.(J)

VERSUS

NON-APPLICANT : Sohan Lal Dewangan S/o. Banjoo Dewangan , Aged about – 43 years R/o.- Rawanbhata College Road, Dongargaon, Tah. & Distt.- Rajnandgaon (C.G.)

APPLICATION U/S. 482 OF CRIMINAL PROCEDURE CODE

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(18)

आदेश पत्रक

मामला क्रमांक ..... G.M.P. 155/06 ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

21.02.2007

Shri Ravi Maheshwari, Counsel for the applicant.

Heard on admission.

This petition is directed against the order dated 21.7.2006 passed by the Sessions Judge, Rajnandgaon (C.G.) in Criminal Revision No.43/2006. The aforesaid Criminal Revision was filed against the order of interim maintenance dated 10.04.2006 passed by the Judicial Magistrate First Class, Rajnandgaon in Miscellaneous Criminal Case No.245/2005.

A perusal of the impugned order would show that by the said order dated 10.04.2006, the learned Magistrate had allowed an interim maintenance to the tune of Rs.750/- per month to the applicant. Being aggrieved with the said order, the applicant has filed a Criminal Revision for enhancement of the amount of interim maintenance, which was dismissed by the Revisional Court, against which, this petition has been filed. It comes in para 6 of the impugned order that the monthly income of the respondent from his salary is Rs.12,000/-. This has been *prima facie* proved by filing a pay certificate. Apart from this, the applicant alleges that the respondent earns Rs.2 lakhs per year from agricultural work and also earns Rs.3000/- per month as the rent of different premises, but nothing has been brought on record to substantiate these two incomes. The Revisional Court has observed vide para 10 of the impugned order that the contents of the pay slip would show that the respondent was

(पीछे देखिये)

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् **200**

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

getting Rs.9600/- per month in hand and he also maintains 3 children, who are admittedly residing with him. In these circumstances, the Revisional Court has confirmed the order of interim maintenance granted in favour of the applicant to the tune of Rs.750/- per month.

In view of the above, I do not find any irregularity or illegality in the orders passed by the two Courts below warranting interference under Section 482 of the Code of Criminal Procedure.

The petition has no merit and the same is dismissed at the motion stage itself.

Sd/-
Sunil Kumar Sinha
Judge

(पीछे देखिये)